

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 1:05CR81

GARY TAYLOR

ORDER

This cause is before the Court on the defendant's Motion to Continue Trial [18]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for December 11, 2006. Taylor's counsel avers that she is still recovering from a recent surgical procedure and that she is in need of a continuance in order to ensure complete her recovery and adequately prepare a defense to the charges in this matter.

The government does not oppose the requested continuance. Based on the foregoing, the Court finds that the motion is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from December 11, 2006 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to ensure the defense counsel's availability at trial and to afford her an adequate opportunity to prepare for trial. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendants in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The defendant's Motion to Continue Trial [18] is GRANTED;
2. That the trial of this matter is continued until Monday, February 12, 2007 at 9:00 a.m.
in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from December 11, 2006 until February 12, 2007 is excluded as set
out above;
4. That the deadline for filing pretrial motions is January 22, 2007;
5. That the deadline for submitting a plea agreement is January 29, 2007.

SO ORDERED, this the 14th day of November, 2006.

/s/ W. Allen Pepper, Jr. _____
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE